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OCT 02 2007

DOCKET: CU-5962

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT:	Moughelbay et al) Group Art Unit: 3677
)
SERIAL NO:	10/516,471) Examiner: Marcus Menezes
)
FILED:	November 29, 2004)
)
TITLE:	TYING DEVICE)

AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT

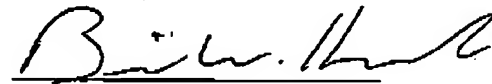
Dear Sir:

The Commissioner is authorized to charge our deposit account no. 12-0400 in the amount of \$1500 for the petition to revive the application, or for any other required fees in excess of this amount.

Respectfully submitted,

September 17, 2007

Date



Attorney for Applicant
Brian W. Hameder
c/o Ladas & Parry LLP
224 South Michigan Avenue
Chicago, Illinois 60604
(312) 427-1300
Reg. No. 45613

Application Serial No. 10/516,471
Reply to Decision of September 28, 2007

OCT 02 2007 PATENT
Docket: CU-5962

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Moughelbay et al) Group Art Unit: 3677
SERIAL NO: 10/516,471) Examiner: Marcus Menezes
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TITLE: TYING DEVICE)

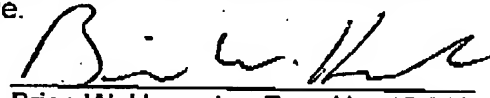
Mail Stop Petitions – Attn: Ex. Paul Shanowski
THE COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

Certification under 37 C.F.R. §1.8(b)

The USPTO Central Fax No. (571) 273-8300

Date of Fax Transmittal: October 2, 2007

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted to the United States Patent and Trademark Office to the fax number and on the date indicated above.


Brian W. Hameder, Reg. No. 45,613

RESUBMISSION OF PETITION TO REVIVE

Sir:

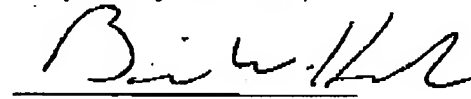
This is in response to the decision dated September 28, 2007, in which the previously filed petition to revive the above-identified application was dismissed because the pages of the petition on which the signature by the undersigned attorney should have been were missing. The decision indicates that only six pages of the petition and accompanying amendment were received. Applicant submits that the previously filed petition was complete, and part of the petition was lost by the patent office. The previously filed petition in fact included 10 pages.

The Applicant herewith resubmits the previously filed petition, and the fax transmission receipt which shows that all ten pages were sent and received by the patent office. As such, the applicant respectfully requests that the previous petition be reconsidered.

Respectfully submitted,

October 2, 2007

Date


Attorney for Applicant
Brian W. Hameder, Reg. No. 45613
c/o Ladas & Parry LLP
224 South Michigan Avenue
Chicago, Illinois 60604
(312) 427-1300

O:Auto-reply fax to 312 427 663 COMPANY:

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Auto-Reply Facsimile Transmission



TO: Fax Sender at 312 427 6663

Fax Information

Date Received:

9/17/2007 3:43:53 PM [Eastern Daylight Time]

Total Pages:

10 (including cover page)

ADVISORY: This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 306 et seq.

Received
Cover
Page
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09/17/2007 14:43 FAX 312 427 6663		LADAS & PARRY LLP		0001	
<small>Approved for use through 06/01/2007. (Rev. 09/14/95) U.S. Patent and Trademark Office, U.S. Department of Commerce</small>					
PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNAVOIDABLY UNDER 37 CFR 1.137(b)				Docket Number (Optional) CU-5962	
First Named Inventor: Rabin, Jacob H. ELBAY				Attorney: 3677	
Application Number: 10/516,471				Examiner: Marcus Meneses	
Filed: November 29, 2004					
Title: A TYPING DEVICE					
Address: Office of Patents Mail Stop Petition Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450					
NOTE: If information or assistance is needed in completing this form, please contact Patents Information at (571) 272-3200.					
The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.					
APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION.					
NOTE: A grantable petition requires the following items:					
(1) Petition fee.					
(2) Reply vendor issue fee.					
(3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995, and for all design applications; and					
(4) Adequate showing of the cause of unavoidable delay.					
1. Petition fee					
<input type="checkbox"/> Grant entry - fee \$ _____ 37 CFR 1.17(b). Applicant claims small entity status. See 37 CFR 1.27.					
<input checked="" type="checkbox"/> Other than grant entry - fee \$ 1,100 37 CFR 1.17(b).					
2. Reply and/or fee					
A. The reply and/or fee to the above-noted Office action in the form of an amendment (Identify the type of reply):					
<input type="checkbox"/> has been filed previously on _____.					
<input checked="" type="checkbox"/> is enclosed herewith.					
B. The issue fee of \$ _____					
<input type="checkbox"/> has been filed previously on _____.					
<input type="checkbox"/> is enclosed herewith.					
PAGE 1 OF 8					
<small>This collection of information is required by 37 CFR 1.137(b). The information is intended to obtain or retain a benefit by the submission of an application to the USPTO in response to an Office action. Confidentiality is required by 37 CFR 1.137(b) and 37 CFR 1.137(c). This collection is estimated to take 8 hours to complete, including preparation, review, and submission of the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on this aspect of time and cost should be submitted to the USPTO. The USPTO is not responsible for the collection of information. U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. EPOCH TO: Mail Stop Petition, Commission for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. If you have questions or need help, call 1-800-PTO-9999 and select option 3.</small>					
PAGE 1/10 * RCVD AT 09/17/2007 3:43:53 PM [Eastern Daylight Time] * SVR:USPTO-EFXXF-2/12 * DNIS:2738300 * CSID:312 427 6663 * DURATION (mm-ss):02:02					

OCT 02 2007

PTO/SB/61 (04-07)

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNAVOIDABLY UNDER 37 CFR 1.137(a)**

Docket Number (Optional)

CU-5962

First Named Inventor: Rabin MOUGHSELBAY

Art Unit: 3677

Application Number: 10/516,471

Examiner: Marcus Menezes

Filed: November 29, 2004

Title: A TYPING DEVICE

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NOTE: If information or assistance is needed in completing this form, please contact
Petitions Information at (571) 272-3282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION.

NOTE: A grantable petition requires the following items:

- (1) Petition fee.
- (2) Reply and/or issue fee.
- (3) Terminal disclaimer with disclaimer fee – required for all utility and plant applications filed before June 8, 1995, and for all design applications; and
- (4) Adequate showing of the cause of unavoidable delay.

1. Petition fee

☐ Small entity – fee \$ _____ (37 CFR 1.17(i)). Applicant claims small entity status.
See 37 CFR 1.27.

☒ Other than small entity – fee \$ 1500 (37 CFR 1.17(i)).

2. Reply and/or fee

A The reply and/or fee to the above-noted Office action in the form of
an amendment (Identify the type of reply):

- ☐ has been filed previously on _____
- ☒ is enclosed herewith.

B The issue fee of \$ _____

- ☐ has been filed previously on _____
- ☐ is enclosed herewith.

[Page 1 of 3]

This collection of information is required by 37 CFR 1.137(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 8 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

10/04/2007 RMEBRIGHT 00000014 120400 10516471
01 FC:1453 1540.00 DA

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

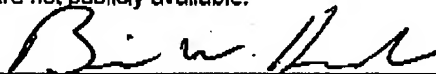
**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNAVOIDABLY UNDER 37 CFR 1.137(a)****3. Terminal disclaimer with disclaimer fee**

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. An adequate showing of the cause of the delay, and that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 CFR 1.137(a) was unavoidable, is enclosed.

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.



Signature

September 17, 2007

Date

Brian W. Hameder

Typed or printed name

45613

Registration Number, if applicable

Ladas & Parry LLP, Suite 1600

Address

224 S. Michigan Avenue, Chicago, IL 60604

Address

312-427-1300

Telephone Number

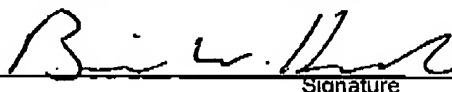
Enclosure ☒ Fee Payment☒ Reply☐ Terminal Disclaimer Form☐ Additional sheets containing statements establishing unavoidable delay☒ Authorization to charge deposit account**CERTIFICATE OF MAILING OR TRANSMISSION (37 CFR 1.8(a))**

I hereby certify that this correspondence is being:

☐ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

☒ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.

September 17, 2007
Date



Signature

Brian W. Hameder

Typed or printed name of person signing certificate